

United States Department of Agriculture



Natural Resources Conservation Service
655 Parfet Street, Room E200C
Lakewood, Colorado 80215

VIA ELECTRONIC MAIL

COLORADO BULLETIN NO.: CO-440-06-01

Date: April 20, 2006

SUBJECT: PGM – Completion of all Colorado River Salinity Control Program (CRSCP), Interim EQIP -CRSCP and Great Plains Conservation Program (GPCP), Interim EQIP-GPCP Contracts

TO: Area Conservationists (AC)
District Conservationists (DC)
Area Resource Conservationists for Programs (ARC-P)

PURPOSE: To announce that all CRSCP, GPCP, Interim EQIP (IEQIP)-CRSCP and Interim-EQIP (IEQIP)-GPCP contracts must either be completed or terminated by September 30, 2006

File Code: 440-8

EXPIRATION DATE: September 30, 2006

ACTION REQUIRED BY: May 1, 2006
June 23, 2006
July 1, 2006
September 01, 2006
September 15, 2006

The authority provided through both the original statutory authority (43 U.S.C. 1592c; and 16 U.S.C. 590p(b)); and the 1996 Farm Bill for those contracts awarded under Colorado River Salinity Control Program (CRSCP), Great Plains Conservation Program (GPCP), Interim EQIP (IEQIP)-CRSCP and IEQIP-GPCP will expire as of September 30, 2006. These contracts had a maximum lifespan not to exceed 10 years in length. Contracts for the above programs will end on September 30, 2006.

Action: **By May 1, 2006** - Field offices must review all active CRSCP, GPCP, IEQIP-CRSCP, and IEQIP-GPCP contracts. Each participant shall be notified in writing of those options remaining using the attached "Letter 1" notification (Attachment B).

CRSCP and IEQIP-CRSCP CONTRACTS:

- **District Conservationist will complete NRCS-LTP-153 for contract cancellation/termination** (according to Amended Colorado Bulletin CO-300-06-02 dated November 21, 2005).

- **Submit the LTP-153 to the Assistant State Conservationist for Programs (ASTC-P) by June 23, 2006**, in order for the State Conservationist (STC) to prepare appropriate cancellation/termination letters.

The STC, in accordance with the regulation at 7 CFR 702.18(b), (c) or (d), may assess a recovery of any or all previously paid cost-share payments when there is a failure to comply with the terms and conditions of the contract, including operation and maintenance.

CRSCP and IEQIP-CRSCP contract participants will receive one of the attached "Letter 2A through 2D" (Attachment C) via certified mail by July 1, 2006. Version A and C of this letter provides that Natural Resources Conservation Service (NRCS) will require a cost recovery for previously paid cost-share payments for cancelled and/or terminated contracts. Version B and D will not provide for a recovery of previously paid cost-share assistance.

Letter 4A or 4B will be sent as a confirmation of the actions taken by NRCS.

GPCP and IEQIP-GPCP CONTRACTS:

- **District Conservationist will complete NRCS-LTP-153 for contract cancellation/termination** (according to Amended Colorado Bulletin CO-300-06-02 dated November 21, 2005)
- **Submit the LTP-153 to the ASTC-P by June 23, 2006**, in order for the STC to prepare appropriate cancellation/termination letters. These contracts are **NOT** subject to any recovery of previously paid cost-share payments or liquidated damages (7 CFR 631) when there is a failure to comply with the terms and conditions of the contract leading to termination.

GPCP and IEQIP-GPCP contract participants **WILL** receive the attached Letter 3A or Letter 3B (mutual cancellation or termination) which indicates that no cost recovery provisions apply to cancelled or terminated contracts by July 1, 2006. There will be no appeal rights provided on either of these letters as Letter 3A is mutually agreed upon action and Letter 3B is due to expiration of the statutory authority.

Letter 5A or 5B will be sent as confirmation of the actions taken by NRCS.

Payments:

All remaining contract practices must be completed by **September 1, 2006**.

Payments for CRSCP and GPCP contracts are processed by the National Finance Center (NFC). Payments for IEQIP contracts are processed by Farm Service Agency (FSA). NFC and FSA must have all requests for payment by **September 15, 2006**, to ensure that remaining contract practices payments can be made by September 30, 2006.

There is **no authority** to make any payments after September 30, 2006, for CRSCP, GPCP, IEQIP-CRSCP, or IEQIP-GPCP contracts.

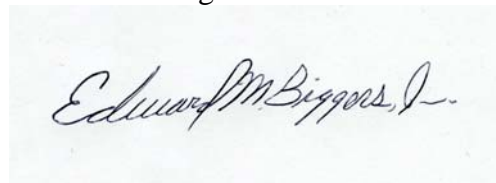
Participant Notification of Action

Attached are a set of letters for use in notifying contract participants of the options for addressing the completion of their contract responsibilities. These letters are as follows:

- “Letter 1” – (**DC prepares**) to CRSCP, IEQIP-CRSCP, GPCP and IEQIP-GPCP contract participants stating that the statutory authority for their CRSCP/GPCP contract expires on September 30, 2006, and provides options for their action on the contract.
- “Letter 2” – (**STC prepares**) to CRSCP or IEQIP CRSCP contract participants 30 days following the initial letter. There are four versions (A, B, C and D) to this letter: two for recovery (one termination/one cancellation) and one without recovery (one termination/one cancellation). These letters state that the contract is now in the process of being cancelled or terminated and provides details as to any cost recovery provisions and provides **limited appeal rights** to the participant. **This letter must be sent by certified mail.**
- “Letter 3” – (**STC prepares**) to GPCP and IEQIP-GPCP contract participants 30 days following the initial letter. There are two versions (A and B) to this letter; one termination and one cancellation. **This letter must be sent by certified mail.**
- “Letter 4” – (**STC prepares**) to CRSCP or IEQIP-CRSCP contract participants confirming that their contract has been terminated or cancelled. There are two versions (A and B) to this letter; one termination and one cancellation. **This letter must be sent by certified mail.**
- “Letter 5” – (**STC prepares**) to GPCP or IEQIP-GPCP participants confirming cancellation and/termination of their contract. **This letter must be sent by certified mail.**

A list of active contracts is attached indicating the county location.

Attachment A lists active contracts by location. **Contracts identified on the list that are expired, cancelled or terminated need to have the following information noted and returned to the ASTC-P by May 1, 2006.** Notation needs to be made of contract status and the dollar amount of any excess funds left in the contract after all CIN’s have been certified and paid. Indicate dollar amount needing to be released.



EDWARD BIGGERS
Acting State Conservationist

Attachments

DIST: A, F, ARC-P